

In 2014, the Cook Islands made a minimal advancement in efforts to prevent the worst forms of child labor. The Government participated in UNDAF Pacific, which includes youth initiatives related to access to education and security in the Cook Islands. Also, the Government began a baseline study on youth participation in the workforce, which will result in a Youth Monograph. Although research found no evidence that child labor, including its worst forms, exists in the Cook Islands, the Government's legal framework is insufficient to prevent children from engaging in prostitution and pornography, and research could not determine whether laws prohibit internal trafficking in persons or use of children in illicit activities.

I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor, including its worst forms, exists in the Cook Islands.(1)




II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Cook Islands is a self-governing territory of New Zealand. The territory follows a combination of its own laws and some of the laws of New Zealand and the United Kingdom that were enacted prior to self-government in 1965.(2, 3) There are no armed forces in the Cook Islands.(3, 4) New Zealand is responsible for the Cook Islands' defense at its request and in consultation with the Cook Islands.(3)

Since 1988, no treaty signed, ratified, accepted, approved, or acceded to by New Zealand extends to the Cook Islands, unless New Zealand acted expressly on behalf of the Cook Islands.(5)

The Cook Islands has ratified one key international convention concerning child labor (Table 1).

Table 1. Ratification of International Conventions on Child Labor

	Convention	Ratification
	ILO C. 138, Minimum Age	
	ILO C. 182, Worst Forms of Child Labor	
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has established laws and regulations related to child labor, including its worst forms (Table 2).

Table 2. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	13	Article 30 of the Employment Relations Act 2012 (6)
Minimum Age for Hazardous Work	Yes	18	Article 73.2 of the Employment Relations Act 2012 (6)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Article 73 of the Employment Relations Act 2012 (6)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced and Compulsory Labor Ordinance 1960 (7)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act 2004 (8)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		

Table 2. Laws and Regulations Related to Child Labor (cont)

Standard	Yes/No	Age	Related Legislation
Minimum Age for Voluntary Military Service	Yes	17	Government of New Zealand’s general army requirement at Article 33 of the Defense Act 1990 (9)
Compulsory Education Age	Yes	16	Article 23.1 of the Education Act 2012 (10)
Free Public Education	Yes		Article 22.2 of the Education Act 2012 (10)

* No conscription (11)

In 2012, the Cook Islands enacted the Employment Relations Act, which prohibits children younger than 13 years of age from being employed.(6, 12) The Act also prohibits a school-aged person, defined as 13 to 16 years old, from working during normal school hours, working for more than 10 hours a week outside of school hours, or doing work that is not considered light work. (6) Light work is defined in the Act as “work that does not threaten the child’s health and safety, or hinder the child’s education or vocational orientation and training.”(6) Under the Act, children under 18 years old are prohibited from working in hazardous occupations.(6)

Under the Crimes Amendment Act, trafficking in persons across borders is illegal; however, it is not clear whether internal trafficking in persons is addressed in the Act.(8, 13)

The Crimes Act and the 2004 Amendment prohibit prostitution but do not address child commercial sexual exploitation or child pornography.(8, 13, 14) In 2010, the Government of the Cook Islands began a comprehensive review of the Crimes Act to amend provisions of the Act to include criminalizing child prostitution and child pornography.(14-16) To date, the Act has not yet been modified.(1, 14, 16) Additionally, a draft Family Law Bill, which will include legislation on child protection, has been pending through 2014.(1)

Research could not determine whether laws prohibiting the use of children for illicit activities exist.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established institutional mechanisms to monitor the implementation of child labor laws in the Cook Islands (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The Labor and Consumer Affairs Division of the Government	Implement child labor laws in the Cook Islands.(17)
Ministry of Internal Affairs and Social Services’ Employment and Labor Relations Office	Provide child services.(1)
Cook Islands Police Service	Enforce child labor laws.(1)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government has established institutional mechanisms to address children’s rights and protection (Table 4).

Table 4. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Minister of Health	Coordinate national efforts to comply with the provisions of the United Nations’ Convention on the Rights of the Child and its two Optional Protocols.(1)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

Even though there is no evidence of a problem, the Government of the Cook Islands has established policies related to child labor, including its worst forms (Table 5).

Table 5. Policies Related to Child Labor

Program	Description
United Nations Development Assistance Framework for the Pacific (2013-2017)	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(18) In the Cook Islands, includes different youth initiatives related to access to education, and safety.(18, 19)

In 2014, the Cook Islands began a baseline study of youth participation in the workforce, which will result in a Youth Monograph expected to be published in 2015.(20-22) The Youth Monograph is part of a new youth policy, but the policy has not yet been finalized.(21)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor, including its worst forms.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the continued prevention of child labor, including its worst forms, in the Cook Islands (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Clarify whether the prohibitions in the Cook Islands Crimes Amendment Act 2004 extend to internal trafficking in persons.	2011 – 2014
	Amend the Crimes Act to address and criminalize child prostitution and child pornography.	2012 – 2014
	Ensure the Family Law Bill meets international standards for child protection and applies to children working in domestic service.	2014
	Clarify whether a law exists that prohibits the use of children in illicit activities.	2011 – 2014

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